

THE

(27)

Succession

TO THE

CROWN

OF

ENGLAND.

Considered.

London, Printed in the Year, 1701.

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IT was Remarkable, That the Very Day the Peace was Proclaim'd in London, the Moon was in a Total-Eclipse, which happened to be extremely Visible, just as we were making bonfires for Joy.

I am no Dreamer of Dreams, nor the Son of a Prophet; but I could not avoid having some little Concern at the Sight, it seem'd so Directly to tell us, That our Peace would have some unexpected Eclipse.

Since the Succession of a *Frenchman* to the *Spanish* Monarchy, has given us further Cause to expect on Eclipse upon our Peace Abroad, it were to be wisht that our Peace at Home therefore were a little better secured.

The Death of the Duke of *Gloucester* was the first Blow which seem'd particularly to affect the *English*, after the Conclusion of the Peace, which may very justly be accounted a Misfortune to the Nation, 1. By putting us to the trouble of looking about the World for a Successor. 2. By giving Pretensions of Right to such People as our Constitution barrs from possessing the Crown. And, 3dly, By giving the *Scots* Opportunity again to Chuse whether they will join in a Settlement with Us or no.

Since then the Succession of Crowns, and Revolutions of Kingdoms, are so much the general Subjects of Discourse at this time, 'tis thought it may not be altogether Improper, at least for *Englishmen*, to suspend a little their Concern for the Events of Foreign Affairs, and cast their Eyes upon their Own.

The League of Partition; the late King of Spain's Will; the accepting that Will by the King of France,

in favour of the Duke d'Anjou; the Emperor declaring in Right of the Arch-Duke Charles; the Letters from and to Madrid and Paris; the Memorial of the French Ambassador at the Hague; the Process of the Imperial Envoy at Madrid; the Entry of the French Troops into Flanders and Milan, and the like, are Matters which take up the Thoughts, and employ the Heads of our Politicians, who fill us with their Observations and Speculations relating to the Spanish Succession.

But these things, however Material in themselves, and Eventually of Concern to us, Ought not so to Divert us, as that we shou'd forget the proper Juncture which seems to be at hand, in which an Article will come before us; the Debate whereof is infinitely of more Consequence than all these, to us in Particular, if not to Europe in General; and that is, *The Succession of the Crown of England.*

The Settlement of the Crown of England, made by Parliament on the Abdication of the late King, seems to require some further Consideration: Fate hate made Two Melancholy Infractions in the Prospect we had of

a Race of Kings from the Line of the present Establishment, by the Death of the late Queen, and the Duke of Gloucester.

'Tis Evident, that if the Princess *Ann* has no more Children, and His Majesty should continue to decline Marrying, *both which are but too probable*, the Settlement of the Crown, as made by Consent of Parliament, is at a full Stop; and it remains, That the same Authority of Parliament should Consider whose Right it is to Succeed.

I do not think fit to Decide here, Whether the Power of Making and Declaring Kings and Successions, be Vested in the Body of the People Collectively or Representatively. Originally, I think, there is no Body ever disputed it; but 'tis immaterial in this Case, because it has been Debated and Decided; *the Parliament have asserted their Right in its Practice and Extent*, and the present Constitution of *England* stands firm upon the Basis of that Right.

Nor shall I inquire, much less Dictate, what the Representatives of *England* assembled in Parliament may or may not think fit to do in the Matter of our Succession, but shall go on to Examine who they are, who, on the
Ex-

Expiration of the present Settlement, may put in their Claims to the Succession of the Crown, and in what particular Circumstances of Right such Claimant may now stand, respecting both the Constitution and Interest of England.

The Death of Queen Elizabeth finished the Line of our English Saxon Kings; the Blood of the Plantagenets and Tudors were Extinct in all the Branches of them, excepting the Lady Margaret, Daughter to Henry VII. who being Grandmother to James the VI. of Scotland, the Crown of England Devolv'd upon the Family of the Stuarts, in Right of that Match, and so he was Proclaim'd King of England, by the Name of King James the First.

This King had by Queen Ann, Daughter to the King of Denmark, the following Offspring, which 'tis necessary to mention, because we shall meet with them again in the farther Prosecution of this Discourse.

He had Two Sons.

Henry, who died Unmarried

And Charles, who Succeeded him in the Throne.

And

And, *Elizabeth*, Married to the *Palsgrave*, afterwards King of *Bohemia*, but Beaten out of both by the Emperor.

The Queen of *Bohemia* left Three Sons, *Charles Lewis*, who being re-instated in the Inheritance of his Father, was Elector *Palatine*, and *Palsgrave*, and whose Posterity we shall meet with again; *Maurice* and *Rupert*, who died without Issue.

And besides younger Daughters, one Daughter *Sophia*, Married to *Ernest Augustus*, Duke of *Hannover*, by whom she had the present Duke Elector of *Brumswick*, with Two Sons, and One Daughter Married to the present Elector of *Brandenburg*, which Duke of *Hannover* must stand fair to Claim whatever Devolves upon that Branch by the right of a Marriage from a Daughter of *England*, in case the Male-Line of *King James the First* should fail, which we come next to consider.

Charles the First, the Son of *King James*, left these Children.

Charles the Eldest, who Reigned after him.

James the Second, who also Reigned after him.

Henry

Henry Duke of Gloucester, who died Unmarried.
 The Lady *Mary*, Married to the Prince of
Orange, Mother to His present Majesty.

The Lady *Elizabeth*, who died Unmarried.

The Lady *Henrietta*, Married to the Duke
 of *Orleans*, by whom she had *Anna Maria* Married
 to the Duke of *Savoy*, by whom she has had
 One Daughter, now the Dutcheſs of *Burgundy*,
 and ſince that One Son, Prince of *Piedmont*, and
 another Daughter, who with their Mother are
 all living. Of theſe in their Order.

Charles the Second, left no Legitimate Iſſue,
 except One Son, *James* Duke of *Monmouth*, whoſe
 Birth happening in the time of his Father's
 Exile, it remained a Doubt whether he was
 Legitimate or no; and ſome People have af-
 firm'd the Contract of Marriage with his Mother was
 reſerv'd, and had been produced to an *Engliſh*
 Parliament, if the *Bill of Excluſion* had not ſunk
 in the *Embryo*, whereby all thoſe Deſigns pro-
 ving Abortive, the Witneſſes perished in the
 General Deſtruction of his Party, which from that
 time to the Death of King *Charles II.* were Ba-
 niſhed, drawn into Plots, and died by the Ax
 or Halter.

After the Death of King *Charles II.* the Duke of *Monmouth* entred *England* in Arms, and published a *Declaration*, not so much founded on his *Right by Birth*, as upon the *Male-administration* of King *James*; but withal, referring the *Examination* of his own *Legitimacy* to a *Free Parliament*; but he lost the *Day* and his *Life*; and so the *Legitimacy* of his *Birth* remains undiscovered to this day, and he stands attainted in *Blood* by *Parliament*, as an *effectual Barr* against any *Claim* in his *Posterity*.

Besides this, King *Charles II.* publicly disown'd him as *Legitimate*, and declared *he was not Married to his Mother*; but still, had there been any *Authentick Proof* of the *Affirmative*, I presume that *Declaration* of King *Charles* had been of small *Value*, especially if the *Fight* at *Sedgmore* had favour'd him with *Power* to have backt that *Affirmative* with the *longest Sword*.

To King *Charles* succeeded *James* the Duke of *Tork*, by whose *Abdication* the *Crown* is devolved on King *William*, and Settled by *Parliament* on the *Princess Ann* and her *Children*, and on *Default* of such *Issue*, to the *Heirs* of His present *Majesty*.

Now

Now neither His Majesty nor the Princess having any Children, it remains to examine who are the *Pretenders* to the *Succession*.

I shall first Rank all the *Pretenders* to the *Blood Royal* of England, which are now in being, and consider their Pretensions afterwards.

I shall not call her *Royal Highness* the princess *Ann* a Pretender, because She is *Heir Apparent*, Included and Declared in the present *Act of Settlement*. Nor shall I go back to her Father, who stands Excluded by his own *Act and Deed*, and the Case already Decided by Parliament: For as I shall not pretend to question *Acts of Parliament* and *Settlements* made by the *Commons* of England; so I shall not so much as suggest, that what they have done needs my weak Pen to Vindicate or Defend.

But waving those Two Articles, I proceed to Name the present Claimants in Being, whose *Legitimacy* is indisputable, and whose Titles are just and undeniable, so far as

Lines and Blood gives a Title to the *English Crown*.

The First and Immediate Heir, as I take it, is,

Anna Maria, Dutcheſs of *Savoy*, Daughter to the preſent Duke of *Orleans*, by *Henrietta*, eldeſt Daughter to King *Charles* the Firſt, being without doubt the neareſt of Kin to the Crown of *England*, as ſtanding in the ſame Degree by the Female Line, as the Princeſs *Ann* by the Male.

From this Lady the Title Deſcends to her Son.

..... Prince of *Piedmont* and his Heirs, or to *Mary* Dutcheſs of *Burgundy*, born in 1685.

..... Princeſs of *Savoy*, born in 1688.

On Failure of this Line, the Crown De- volves to the Poſterity of *Elizabeth* Queen of *Bohemia*, Daughter to King *James* the Firſt, whoſe Son *Charles* Lewis, Elector *Palatine*, left One Daughter,

Charlotte Elizabeth, now Dutcheſs of *Orleans*, and Heir to the Crown of *England*, in Right of the Queen of *Bohemia* aforeſaid.

This

This Lady is still living, and has Two Children.

Philip Duke of Chartres. And, Elizabeth Charlotte, lately Married to the Duke of Lorrain.

After the Dutchess of Orleans, and her Family, the Princess of Conde Claims a Right of Succession to the English Crown, being Daughter to Edward Count Palatine, Grand-Daughter to the Queen of Bohemia, or Great Grand-Child to King James the First.

Her Posterity are as follows.

Lewis Duke of Bourbon, Married to one of the French King's Natural Daughters.

Maria Theresia Mademoiselle de Bourbon.

Mary Ann Mademoiselle de Monmorancy.

Anna Maria Victoria Mademoiselle d' Enguien.

After this Family, the Sister of this Princess Claims a Title; she is Dutchess Dowager of Hannover, and has Three Daughters, the Dutchess of Mantua, the Dutchess of Modena, and the youngest Married lately to the King of the Romans.

Thus far goes the Male-Line of the Queen of Bohemia, and all these Claimants are Roman Catholics.

The next in Course, and the First Protestant Heir, is that Excellent Princess *Sophia*, before mentioned, Dutchess and Electorefs Dowager of *Hannover*, Grand-Daughter to King *James* the First, and who is still living, Sister to the late Prince *Rupert*, and the only surviving Child of the Queen of *Bobemia*.

Her Children are,

1. *George Lewis*, Present Elector of *Hannover*, and his Two Sons.

1. *George Augustus*, Electoral Prince of *Hannover*.

2. *William Earnest*, Duke of *Hannover*.

2. *Christian*.

3. *Ernest Augustus*.

4. *Sophia*, a Daughter, Married to the Elector of *Brandenburg*, and is now Queen of *Prussia*, by whom she has One Son.

Frederick William, Prince of *Brandenburg*.

These are the Visible and Indisputable Heirs to the Crown of *England*: There are Two other Pretenders, whose Legitimacy being Question'd, I have reserv'd to set down by themselves.

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The Posterity of King *Charles II.* by *James Duke of Monmouth*, which are,
James Earl of Dalkeith in *Scotland*, and after
 his Mother, *Duke of Buccugh*.
Henry Scot, without Title.
 And, One Daughter.

And the Posterity of *K. James II.* viz.
 The Prince of *Wales*. And,
Sophia Mademoiselle d' Angleterre.

I should pass by the whole Line of *Orleans* with this Observation, That they stand Excluded on the Account of Religion by the Fundamental Constitution of *England* declar'd in *Parliament*; but that we have several Suggestions made by some People, who wish no very great Good to our present Settlement, on the Head of this Article.

First, They tell us, That if the *Dutchess of Savoy* shall make an Offer of sending hither her Son the Prince of *Piedmont* to be brought up in the *Protestant Religion*, we cannot deny him the Succession, he being Grand-Son to a Daughter of *England*.

Secondly, They tell us, That the King of *France*, upon the Prince of *Piedmont's* quitting his

his Pretensions, or dying without Issue, may Claim in Right of the Dutchess of *Burgundy*, Daughter to the Dutchess of *Savoy*, who is without Question the next Heir: And tho' by *Act of Parliament* we have thought fit to Exclude them, because *Roman Catholicks*, it may be a good reason to us to oppose her; but it can be no good reason against her putting in her Claim; and the Sword, say they, must decide it.

These are Two Points which require some
Consideration.

As to the Prince of *Piedmont's* being brought over hither to be Educated a *Protestant*: I make no Question but the Prince of *Piedmont*, after his Mother the Dutchess of *Savoy*, is the Next Heir to the *English Crown*; and, saving to the *Parliament*, the Right of *Disposing the English Government* so, and to such Hands as they have either Power or Just Reason to do, if the Present Establishment was Extinct, I know nothing cou'd be said in Barr of his Title, but his *Religion*.

Nay, I must go farther, and say, That even the Prince who shall Claim, being a *Papist*,
pro.

fest, does not *weaken his Claim of Right*, it only Bars the Door against him, that he cannot get at it. The Act of Parliament *Excluding a Roman Catholick from the English Succession and Crown*, does not lessen that Prince's Right of Claim, but it makes it *unlawful* for us to receive him unless he turn *Protestant*.

The Prince of *Piedmont* is not less an Heir to the *Crown of England* for being a *Roman Catholick*, but *England* is rendred Foreign to him by the *Act of Parliament*, whereby he stands excluded; that is, the Nation is arm'd by Law against receiving him; and this is apparent, because that Hour that any such Prince professes himself a *Protestant*, his Right takes place, and that which before was Lawful to do, viz. To oppose him, would be then *High Treason*.

It may be ask'd here, If when your Throne is Vacant you pass by the Right Heir because he is a *Papist*, and proceed to the next who is a *Protestant*; If this Heir afterward turn *Protestant*, is not his Claim then Right, and ought not the Incumbent to relinquish it to him.

Ans. In Descent of Estates such an Objection may be good, but in that of Crowns it
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cannot be, Because the Crown is entred upon by mutual Stipulation, and if ye have Once admitted an Heir into Possession, and a Coronation has past, which is the Seal of the Contract, nothing but Male-Administration, Death, or Defection, can dissolve the Peoples Allegiance.

But if such a Prince will qualifie himself for the Crown, and turn Protestant, he must do it in Time, and before the Right of Devolution fall. For Crowns are not to be Transpos'd, and Kingdoms change Masters, as often as Princes please to change their Religion.

If then the Dutchess of Savoy is willing to breed her Son up in the Protestant Religion, in Order to qualifie him to enjoy the Crown of England, the Way is, in my poor Opinion, first to send him into England, and commit him to such Governours as the Nation may be very well satisfied in, such as are Eminently Pious, Zealous, Unbiass'd, and Disinterested; if the Government will appoint them, 'twill be so much the better; and when this is first done, an Ambassador may apply himself to the King and Parliament with some Ground: But to Treat of it at the present Distance, seems too Remote for us to Concern our selves about it.

As to the Claim of the French King in Right of the Dutchess of Burgundy, it must be Founded thus:

Either that the Prince of Piedmont may relinquish his Right to his Sister, or that the French King may be brought in speaking thus to the Prince of Piedmont, *Your Highness has a Right to the Crown of England, if you will Claim it well and good, if not, it goes to your Sister, who is with us, and if you refuse, she shall Claim it.*

'Tis Confest, That in either of these Cases the French will have a Colour of Claim; for as I have Noted already, tho' by our own Acts and Deeds, (for every Act of Parliament is the Act and Deed of the People;) Tho, I say, by our own Act and Deed we may agree among our Selves that Persons so qualified shall Not Reign over us, yet, speaking of Hereditary Right, a Roman Catholick Prince cannot have the less Right by Birth than he had before; the Dutchess of Savoy is not less the Grand Daughter of King Charles the First for being a Papist, than she was before; Nor is she less an Heir to the Crown of England than she was before; Only the People of England have resolv'd, That be it her Right or not her

Right as to Birth, she shall not possess, unless she turn Protestant.

I might Examine here, Whether a Right by Birth has so much in it, that it cannot be in the Peoples power to reject it, or whether it be in the People to stipulate with their Princes on what Conditions they shall ascend the Throne? But this Dispute is so often Decided by the Practice of all Nations, that 'twould be suppos'd I only wanted something to say, if I should enter upon it here.

And tho' we have some who are very fond of calling our Government an *Elective Monarchy*, yet they cannot give us one Instance in all the last Settlement, wherein the Parliament, whatever Right they have to alter it, have not kept close to the Right of Descent, and followed the Right Line, unless they will suppose that the Administration remaining in King William during his Life, be an Infraction into the Line of Succession, which if the Doctrine of the Abdicacion be true, would be hard to make out.

But I shall not Concern my self, Whether our Succession shall be guided by Descent or Choice of the People: Only I shall suppose, if the Hereditary Descent of the Crown be observ'd, who

whó the Persons are to whom it so Descends, and if not, out of what Families we may direct the Choice of an Heir, so as that the *Right of Descent*, and the *Right of Election* may go hand in hand, and kiss each other.

As to the Right of those Princes who are *Roman Catholicks*, and by our Laws are *Barr'd* from inheriting the *Crown*, let them think their Right as good as before, our Business is to *stand by*, and defend our *Constitution*; and tho' the Power of *France* may be concern'd in the Claim, we must do as well as we can; and when we find we cannot Defend our selves against them, 'tis time then to make as good Terms as we can.

Under this Head therefore, I mean, of *Religion*, all the Princes of the House of *Savoy*, *Orleans* and *Conde*, with their Numerous Offspring, stand Excluded from our *Succession*, and rendred *incapable of the Government*.

The House of *Hannover* therefore, is the only Line which with an undisputed Right of *Descent* stands fair to Claim the *Crown of England*; and the present Elector of *Hannover*, being the Eldest Son of the Lady *Sophia*, before named, and Great Grandson to *James*
the

the First, King of England, is without doubt the Next Heir of the Crown.

But since those Gentlemen, who are so fond of the *Electiveness* of our Kingdom, make it much their Business to find fault with *Foreigners*, only because they are so, as if no Man were fit to Govern the *English* Nation, but what was born here; I cannot but Consider one thing, in answer to that, in order to satisfy those People, and that is, that in Case the Settlement of the *Crown of England* shou'd be Declared by *Parliament* in Favour of any of the Princes of the House of *Hannover*, that Prince may be invited over to Reside among us, to inform himself of our Customs, Laws and Way of Living, to be acquainted with *Persons* and *Things*, to see the *Temper* and *Genius* of the Nation, and be fully instructed in the *Nature* of our *Constitution*, and the Interests of the Nation as to *Trade* abroad and at home, that by his Presence he may become familiar to the People, and be beloved by them.

A Prince Born and Educated abroad must certainly be very much at a Loss when he comes to Govern a People, whose *Laws* and *Customs*, *Tempers* and *Persons* he is unacquainted with.

It is not an *easy* matter for a Prince, with all the Advantages of *Birth* and *Education* among us, to Accommodate himself to the *Government* of this *Great People*; and he that shall come from Abroad, will have *Innumerable Disadvantages* in the *Nice Articles* of *Government*. He will be more liable to *Mistakes* and *False Steps* in the Choice of his Counsellors, for want of the *Knowledge of Men*; and in the Choice of his Measures, for want of the *Knowledge of Things*; more liable to Mistake himself; and above all, *much more liable to be Mistaken by us*; for the *Natural Ill Humour* of the Nation, with respect to *Foreigners*, will Magnifie every thing to his Disadvantage.

The *English* are a *Jealous Nation*, particularly as to the *Encroachments* of their Princes upon their *Liberties*. 'Tis true, they are to be Excus'd in some Measure, from the *Danger of Ruine* they have more than Once been in upon that Account; but this will be allow'd to make them not altogether so *Easy* to their Princes, as otherwise they might have been: And let the Person who shall succeed, be Owner of Never so much *Candour* and *Honesty*, he will have Need of all the *First* to Oblige Them, and all the *Last* to Preserve Himself.

His

His Present Majesty was the best Acquainted with our *Constitution, Laws, Temper,* and whatever was *Needful* to qualifie Him for the *Government of this Nation*, of any Prince in the World that had lived all his Time Abroad ; and yet, I doubt not but His Majesty has Experienced some *Disadvantages* he receives, as to *immediate Management of Affairs*, for want of a more compleat Personal Knowledge both of *Things and Men*.

Knowledge of Men is one of the most Useful Things to a Prince ; for how else shall he judge in the Trust he is to place ; and how often such are betray'd who are forced to choose their Confidants and Counsellors by *other mens Characters*, and not their own knowledge, we need but look a little way back to see.

'Tis not a small Concern which Princes have in the Choice of their *Counsellors* and *Favourites* ; for if they are ill serv'd by them, tho' the Law look on the *Instrument*, and punishes the *Person*, clearing the King from all supposition of Blame, yet the mismanagement of Officers and Statesmen is always suppos'd to reflect obliquely upon the *Discretion of the Prince*.

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Wherefore 'twill be the real *Interest* of the *Prince*, vvhoever he be on whom the *New Settlement* shall fix, if he be a *Foreigner*, unless he be a *Regent*, a *Sovereign in Possession*, and so cannot quit his other *Affairs*, 'twi'll certainly be his *Interest*, and the *Nations* too, in many *Respects*, to come and Reside among us.

I might be expected to *descend* to the *Right* of the *Two Disputed Persons* I have mentioned; and tho' 'tis a *tender Point*, yet I shall venture to say something with relation to it, which shall be, I hope, *offensive to no body*.

The Duke of *Monmouth* vvvas a *Person* Valued and Beloved by the *English Nation* at no indifferent rate. Since *Prince Henry*, Eldest Son to *King James* the First, No Branch of the *Royal Blood* has been so much the *Darling* of the *People*, of whom *Dryden* in his *Absolon* and *Achitophel*, tho' 'twas a *Satyr* upon him, was forced to acknowledge:

Of all the *Royal Progeny* was none,
So Beautiful, so Brave as *Absalon*!

His Gallantry Abroad, his obliging Carriage

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at Home, and especially his *love to his Native Country*, Endear'd him to the Nation, and his *Memory* is Valued by them still.

That he Fell at last in the same *laudable Attempt of rescuing this Nation from Popery and Tyranny*, which His present Majesty performed afterward with such happy Success, was Owing to God Almighty's *inscrutable Providence*: But the Undertaking was no less Glorious, nor the Action the less Just, nor the Memory of that Blood, which was offered up as a *Sacrifice for our Liberty*, Ought not to be less dear to us than it would have been if it had been Crown'd with the same Success. ~

His *Right of Succession*, and the *Legitimacy of his Birth*, were in his *Declaration* remitted to the *Examination of a Free Parliament*, which *Free Parliament* never having been obtained, and that Brave *English Gentleman* having been Overcome or Betray'd, or whatever it vvas, No Man has ever had the *Courage or Honesty* to ask the Question since, *Whether his Birth was to be proved Legitimate or no?*

With a perfect subjecting *my Opinion to an English Parliament*, which God be praised, we now enjoy, I crave leave to say, That it seems to me a little strange, That the *Blood of that*
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Gallant Man shou'd not leave *Gratitude* enough in *Englishmen* once to think it worth while at least, to enquire *Whether* he had any legal Right or no? *Whether* the Legitimacy of his Birth could be made out or no? Or so much as to declare, That if his *Posterity* have any Argument to prove it they shall be heard.

The Cause in which he died, has been revived, The Liberties for which he fought, and in the just Defence whereof he Gallantly lost his Life, and so many Brave Men with him, are recover'd; the Protestant Religion, for vvhich he ventur'd is restor'd. Nay, the Blood of some of his Adherents and Familiars is restored by Parliament, and their Attainder taken off: And shall vve have so much regard to the Cause, and have none to the Captain? So much Gratitude to the Members of that Army and none to the Head? He has a Noble Branch of his Stock left, which bears his Name and Image, it can do him no harm, to examine whether the Title of his Father had anything in it or no; if not, the Son is not the worse, and the Nation wou'd shew an Act of Kindness as well as Gratitude, to the Immortal Memory of his Injured Father.

Here would be an *English King*, born among us, that wou'd Claim an Interest in our *Hearts* as well as *Crown*; a King whose Value wou'd be raised upon the *Foundation of his Father's Merit*, and be illustrated by his *Own*.

A *Phoenix*, rais'd out of the *Asbes of his Father*, who Sacrificed *his Life*, to save the *People* his Son wou'd govern.

All the *Pretences* of Foreigners, Claims of *Princes*, and the Prospect of a long and bloody War, wou'd cease and vanish. If an *English Parliament* shou'd examine into the *Arcana's* of his *Father's Production*, and find cause to declare him *Legitimate*, all the Claims of the House of *Savoy* and *Orleans* wou'd be at an end: All the *Melancholy Prospect* of the Destruction of this Nation wou'd die: If the *True English Courage* and Gallantry of his Father be *Descended with his Blood*, there is no fear but he may come to be a *Glory to the English Throne*, and be fitly qualified to Succeed his present Majesty, both at the Head of *English Armies*, as well as at the Helm of *English Councils*.

If not, there can be no Harm done in examining into the Truth of the Thing, the Justice of the *Enquiry* is not the less, tho' the
Le-

Legitimacy should not appear. For to search after it discharges the Debt which seems to be due to the *Askes* of his Father, and who knows what smother'd *Evidences* may revive, if it were encouraged by a *National Authority*.

If it were but Voted, That *whoever* could offer any *Proof* of the *Legitimacy* of the late Duke of Monmouth, should be heard, and a Committee appointed to inquire into it. This would put an *End* to the *Case*, if nothing appear'd, nothing would follow, and there would be an *End* of it ; we were but where we are, and no body would be the worse.

One thing I believe the *Succession* of this Prince would bring with it, and that is, it may preserve the present *Union* of Scotland.

That the *Scots* will join again with us in the further *Settlement* of the *Crown*, I believe few People expect ; those who slight the *Scots* so as to think 'tis not worth while to trouble our selves whether they do or no, indeed lay no stress on this Argument ; Truly nor I much upon their *Judgments*.

If we can expect the *Scots* will do that which they are sorry they did before, then indeed

deed we may suppose *they will follow us, to settle their Crown as we please to do ours.*

But if we will allow the *Scots* to think themselves ill used by us *in the matter of Darien, and some other Disadvantages of Trade*, we cannot expect they will join in such a *Settlement* as we shall make, without appointing *Commissioners* to Treat of some *Conditions* which they want to have us comply with.

What else can the *Scots* mean when they tell us, *They lost the advantage of making Good Terms with us, in their too hasty passing the last Settlement : And the Time is coming when we shall want them again.*

I must confess *French Councils*, and *French Money* may do much with a *Needy Nation* to embroil both *them and us* in Case of a *New Settlement* ; and if they should break off from us, and assert their *Independent Right*, vvhich vvithout doubt is their Due, and set up for themselves, I shall not enter into the long Detail of the *Inconveniences* that will follow, but One I cannot omit, viz. That it will oblige us to keep a *Standing Force*, always ready to *Defend us against them*, to *Strengthen and fortifie our Borders*, and thereby to fall into that
same

same Inconvenience which we have made such a stir about.

But if the *Legitimacy of a Prince* be clear'd up, *who is equally a Native of both Nations*, I know nothing can be a greater Motive, nor can there be any Argument that I know of, from us to them, vvhich can carry so much force in it to ingage that *Implacable Nation* to forget their *Resentments*, and *acquiesce in the same Succession of Government with us.*

I do not examine here, Whether vve have *affronted the Scots*, in declining to Treat of the *Union* they have pusht for so often ; in laying *Additional Duties* on their *Manufacture of Linnen* ; and in refusing to Trade vvith them in their *Incroachment or Colony*, call it what you will, at *Darien*.

Nor do I lay so much stress upon the affronting them, *if we have done it*, especially if they vv^ere *singly considered*, but if they are to be considered vvith relation to the *present Circumstances of Europe*, more may be said upon that Article than is fit to be *made publick*.

I vvould forbear also giving Offence in this *Article of the Succession* to those vvwhose particular Province it is, and in vvwhose Hands the
right

right of discussing this great Head of our Felicity is Deposited; and therefore I think it necessary to explain my self.

I do no where enter into the *Merit of the Cause*, however I may be *Convinc'd my self* of the *Legitimacy of the Father*, and the *Right of the Son*, vvhich indeed I never doubted of, and *freely ventured for*; But since in a Nation vvhhere Civil Justice is Regnant, *every English Subject has a Right to demand Relief*. If he be *injur'd*, it is but *equal* that *Inquisition* be made into the *Claim of a Person of this Figure*, and that it only be examin'd, *whether he has any such Right or no*. The *bare Enquiry* can do nobody any harm, and the *Title of other Pretenders* is not at all *lessened* by it.

It has been objected to me since I thought of this Affair, *That to start such a thing would be to Expose the Life of the young Gentleman we speak of*.

Ans^w. In *France or Turkey* such an Argument might be good, and I should have been very Cautious of Starting the Case, but I have banished the Suggestion on the same account that *Numa* omitted to make a Law against *Parricide* in *Rome*, *As a Crime too horrid to be nam'd among the Citizens*.

The

The sum of the matter is this, *That the Legitimacy of the Duke of Monmouth may be Examined into, and the Title of his Son consider'd, and such Measures taken thereupon, as to Right and Justice is due, and to our wise Legislators shall seem meet.*

I will not Dispute, Whether the Parliament of England, in settling the *Succession* may not have a Right to fix it as they see cause, and avoid the Lineal Descent of this Family or any other.

But if so, then they have a Power as well to fix it upon this Head as another, whether the Legitimacy be examined or no : and the Crown of England Naturalizes and Legitimizes any Body.

Nay, Herein the Person we speak of, has infinitely the *advantage of all Pretenders* ; for if we have any Remembrance of the Blood of his Father, which was pour'd out by the Enemies of the Protestant Religion, in Defence of that Religion, and the English Liberty : If vve have any Remembrance of the Bravery and Gallantry of his Person, and how tenderly the Nation lov'd him : If we have any sense of the many miserable Families that perish'd with him in the same Cause, we cannot but give way to the Just Claim that Blood makes, and shew our Gratitude to his Posterity.

I had proceeded here to consider the Pretensions of the pretended Prince of Wales ; and tho' I

am prevented very well by a late Argument proving he has no Claim to the *Crown*, tho' he were a *Protestant*, yet I must also say,

That if vve go back to the Right of the late Duke of *Monmouth*, and allow him to be *Legitimate*, the Title of the other falls of course, and tho' he were the True Son of the Late King, and a *Protestant* also, he has no more Title to the *Crown* than the Lord Mayor of *Dublin*.

It may be objected here,

That King Charles the Second Publickly Disclaimed the Duke of *Monmouth's* Legitimacy.

Answer. So King James II. publickly asserted the Legitimacy of his Son: And if One was not believ'd in the Affirmative, vvhy should the other in the Negative?

Besides, 'Tis well known under vvhat Influences, and by the Conduct of vvhat Councils that Prince acted vvhen he made that Declaration, the same Conduct and Councils that afterwards publickly assaulted the *English Liberties*, and then proceeded to attempt the Subversion of the *Protestant Religion*: Both which Attempts this Noble Gentleman vigorously appear'd against, and to his Utmost Opposed, and thereby disobligh'd his Father, who was too deeply ingaged in that Party and Design, and for them was prevailed upon to Dis-

claim

claim, and consequently Disinherit His Son.

So that his *Early Appearing* for the True Liberty and Interest of his Country first Cast him in to the *Displeasure of his Father*, and *all the Indignities of a provokt and prevailing Party*: And the Just Defence of the same Liberty, and the Protestant Religion, against the Encroachments of a *Popish King*, at last Cost him his Life, which join'd to the infinite Sufferings he underwent in his *several Banishments*, his *Flight*, *Imprisonment*, and *last Moments* are more than sufficient, had they been for the *Popish Interest*, to have given him the Title of a *Martyr*.

Since the late Happy Revolution, Care has been taken to Vindicate the Honour of some *Noble Families* who fell in the same Calamities: The *Sufferings of others* have been Considered, Even to the most *Contemptible Persons of F----- and O-----*. And several of the Remnant of that *little Army* have been *provided for*, and *preferred*. We see those who joined with the Duke of *Monmouth* rewarded with *Honours*, *Preferments* and *Trusts*, both by Court and Country, and their *early Zeal* for the Protestant Religion approv'd, so as they have had *Considerable Commands* in our *Protestant Armies*: But what *Gratitude* this Nation has expressed, either to the *Memory*,
Blood

Blood or *Posterity* of that *Noble Victim*, I profess my self at a Loss to find out. I hope the more is yet to come.

A Declaration, either of his *Legitimate Right*, or of his *Eminent Interest* in the Hearts of the *English Nation*, so as to Establish the Crown on his *Posterity*, would abundantly Compensate the Sufferings of his Family, and leave an Honourable Testimony to Future Ages, both of the Merit of his Father, and Gratitude of the *English Nation*.

And if this Cause cannot be Clear'd up, nor the *English Crown* go this way; yet something, methinks, shou'd be thought on, to restore the *Blood and Honour* of a Gentleman who laid them Both down for the *Liberty and Religion* of his Country.

And this I cannot but add, That what is said here is so far from a Mixture of *Interest* and *Parties*; that the Author hereof is not known to either the *Person* or *Family* of the present *Earl of Dalkeith*, or any of his Relations or Dependents: Nor is it Wrote to promote any *Faction* or *Party*, but *Honestly Design'd* to put us in Mind of the Merits of that *Noble Person*, for whom Once the whole Nation had so Great an Esteem, that 'tis strange how it should come to be so Much forgotten!

FINIS.

